

**Division of Water Supply – Bureau of Safe Drinking Water
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MEMORANDUM

To: Community Water Systems Using Ground Water Sources and
Serving a Population Greater than 10,000

From: Barker Hamill, Assistant Director
Water Supply Operations

Subject: New Monitoring Requirements and New Maximum Contaminant Level
(MCL) for Arsenic in Drinking Water

Date: November 4, 2005

This memo addresses the new monitoring requirements and Maximum Contaminant Level (MCL) for arsenic in drinking water for community water systems using ground water sources and serving a population greater than 10,000. Effective January 23, 2006, the New Jersey MCL for arsenic will be 5 parts per billion (ppb) which is lower than the USEPA MCL of 10 ppb that will also be effective on that date. Because of the new MCL, Federal and State Regulations will prohibit the use of EPA Method 200.7 and Standard Method 3120B and only allow EPA Method 200.8, EPA Method 200.9, SM 3113B, and SM 3114B to be used for analysis of arsenic in drinking water for compliance determinations. For the purpose of this memo, these four allowable methods (EPA Method 200.8, EPA Method 200.9, SM 3113B, and SM 3114B) will be referred to as the **“approved methods.”**

Because the new arsenic regulations go into effect during the middle of the 2005-2007 compliance period, the requirements for sampling are more complicated than they would be if the regulations went into effect at the beginning of the compliance period. As noted above, this memo addresses the requirements of community water systems using only ground water sources and serving a population greater than 10,000. Note that public water systems that use both ground water sources and surface water sources are considered to be “surface water systems” and are addressed in a separate memo.

Most community water systems using only ground water sources and serving a population greater than 10,000 are required to sample their points of entry for arsenic once every three years. For these systems, each sample must be collected in the first year of the three year compliance period (2005, 2008, 2011, etc.) Therefore, these systems are required to sample all ground water points of entry in 2005. We strongly recommend that you use an “approved method” when conducting your sampling in 2005 if you have not done so already.

If the sample collected in 2005 is analyzed using an approved method, the system can grandfather the data and use it for compliance with the new arsenic rules.

If the sample collected by the system in 2005 was analyzed using EPA Method 200.7 or SM 3120B (which will no longer be considered approved methods beginning in 2006), the system is required to collect an additional sample at each ground water point of entry by December 31, 2007, using an approved method. However, the Bureau of Safe Drinking Water will review the results from the 2005 sampling event and require that the additional sampling take place in 2006 instead of 2007 if the result from the 2005 sampling event exceeded 5 ppb. A separate letter will be sent to the water system in this situation.

If any samples collected in 2006 exceed the new MCL of 5 ppb, the water system must conduct quarterly monitoring. Compliance for arsenic is measured on a running annual average at each point of entry, unless any one sample would cause the running annual average to exceed the new MCL of 5 ppb. The public water system must bring the water into compliance with the new MCL of 5 ppb within one year of receipt of results that demonstrate an exceedence that constitutes an MCL violation for arsenic.

Please contact Brad Koffler of the Bureau of Safe Drinking Water at 609-292-5550 if you have any questions.

C: Karen Fell, BSDW
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Water Compliance and Enforcement Element